

JOURNAL OF THE FLORIDA SENATE

ORGANIZATION SESSION

Journal of the Senate for the Organization Session of the Fourth Legislature to be convened under the Constitution of Florida, as revised in 1968, begun and held at the Capitol in the City of Tallahassee, in the State of Florida, on Tuesday, November 19, 1974, being the day fixed by the Constitution for the purpose.

Tuesday, November 19, 1974

Pursuant to Rule 1.10, in the absence of the President and the President Pro Tempore of the preceding session, the Senate was called to order by Joe Brown, Secretary of the Senate, at 2:00 p.m.

The Secretary announced receipt of the following certification required by Rule 1.1:

Honorable Joe Brown
Secretary of the Florida Senate

This is to certify the election of John T. Ware as Senate Minority Leader. The election of Senator Ware was confirmed on November 19, 1974.

Sincerely,
David C. Lane

Witness: *Richard J. Deeb*
Witness: *David H. McClain*

The Secretary requested Senator Ware, Minority Leader, to preside.

Senator Ware presiding.

By direction of the Presiding Officer, the Secretary called the roll of the holdover members of the Senate in numerical order of Senatorial Districts, and the following were recorded present:

W.D. Childers—1st District
Dempsey J. Barron—3rd District
Bob Saunders—5th District
Dan I. Scarborough—7th District
Jim Glisson—11th District
Alan Trask—13th District
Walter Sims—15th District
John W. Vogt—17th District
Richard J. Deeb—19th District
David H. McClain—21st District
Julian B. Lane—23rd District
Warren S. Henderson—25th District
Philip D. Lewis—27th District
Chester W. (Chet) Stolzenburg—29th District
David C. Lane—31st District
D. Robert Graham—33rd District
Jack Gordon—35th District
Kenneth M. Myers—37th District

The Presiding Officer announced that Honorable Dorothy W. Glisson, Secretary of State, had certified to the election of certain Senators and directed the Secretary to read the following:

STATE OF FLORIDA)
OFFICE OF SECRETARY OF STATE)SS

I, DOROTHY W. GLISSON, Secretary of State of the State of Florida, do hereby certify that the following State Senators were elected at the General Election held on the Fifth day of November, A. D., 1974 as shown by the election returns on file in this office:

DISTRICT NUMBER

2	Tom Tobiasen, Pensacola
4	Pat Thomas, Quincy
6	Kenneth H. MacKay, Jr., Ocala
8	Lew Brantley, Jacksonville
9	Mattox Hair, Jacksonville
10	Edgar M. Dunn, Jr., Daytona Beach

DISTRICT NUMBER

12	Curtis Peterson, Lakeland
14	Ken Plante, Winter Park
16	Lori Wilson, Merritt Island
18	John T. Ware, St. Petersburg
20	Henry Saylor, St. Petersburg
22	Guy Spicola, Odessa
24	Tom Gallen, Bradenton
26	Harry A. Johnston II, West Palm Beach
28	Don C. Childers, West Palm Beach
30	Jon Thomas, Fort Lauderdale
32	William G. Zinkil, Sr., Hollywood
34	Sherman S. Winn, Miami
36	George Firestone, Miami
38	Ralph R. Poston, Sr., Miami
39	Vernon C. Holloway, Miami
40	Richard (Dick) Renick, Coral Gables



GIVEN under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this 18th day of November, A. D. 1974.

DOROTHY W. GLISSON
Secretary of State

The oath of office was administered by the Honorable Tyrie Boyer, Judge of the First District Court of Appeal, to the newly elected Senators.

The roll of the Senate, as then constituted was called by the Secretary in alphabetical order and the following members of the Senate were recorded present:

Barron	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas (30th)
Childers (28th)	Henderson	Plante	Thomas (4th)
Childers (1st)	Holloway	Poston	Tobiasen
Deeb	Johnston	Renick	Trask
Dunn	Lane (31st)	Saunders	Vogt
Firestone	Lane (23rd)	Saylor	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

40. A quorum present.

Invocation by Dr. Robert M. McMillan, Pastor, First Baptist Church, Tallahassee:

Our Father and our God, we pause before we institute this Senate, in humble recognition of power and wisdom greater than ourselves. In reverence we acknowledge, unashamedly, that we need divine aid in the momentous tasks of government in these challenging days.

Grant us the sense not to walk alone in the awesomeness of our task but to know your presence and the strengths we gain from each other in a working democratic institution.

Keep our thinking relevant to the needs of our constituents and our actions as become the dignity of our calling and election. So then shall we honor you and benefit our beloved State of Florida.

Grant us profound respect for the organization of this Body and its appointed leadership.

Grant your special grace to our Senate President as he pilots the ship of state through sometimes calm and sometimes turbulent waters.

Grant also to each Senator to make the distinction between politics and persons so that the dignity of each Senator, as a person, may not be confused with the necessary differences of philosophy.

For your sake we pray. Amen.

Senator Lewis led the Senate in the pledge of allegiance to the flag of the United States of America.

The Senate proceeded to the organization of the Body.

The Presiding Officer recognized Senator Lewis for the purpose of placing in nomination the name of Senator Dempsey J. Barron of the 3rd Senatorial District to be President of the Senate for the ensuing two years.

Senator Lewis: Mr. Chairman, Judge Boyer, Senators, members of the family, and distinguished guests;

There is no need today to remind this August Body there is a crisis in government. The signs of it are all around us—signs that tell where government has been—and hopefully and optimistically—point down the road to a new and brighter day.

I speak of the *confidence* crisis—the lack of confidence—in government agencies, in appointed officials and in elected representatives—at all levels of government. The crisis reflects an *attitude* on the part of Americans everywhere, an attitude of *skepticism* that the duly appointed and elected representatives of the people can do the jobs they are supposed to do. The causes are myriad. At this beginning of a *new time* for us in the Florida Legislature, there is no need to examine these causes. They range from simple individual dishonesty to failure on a grand level of programs that are too massive and unwieldy to work.

We cannot merely say that we are at the dawn of a new day in government. Saying so will not make it so. A just future will require clear vision to see the light above, *firm steps* that avoid the pitfalls of the past, a *fair mind* to know what is *right* and a *determined attitude* to accomplish that *right*.

One of the first steps into this brighter day of state government will be the election of a man to lead the Florida Senate: A man who is *unique* in many ways but whose uniqueness can be concentrated in *one word*, a word that brings into focus the highest personal qualities of which he is possessed and the *high place* he holds, not only in office, but in the hearts and minds of his colleagues. That word, Senators, is *CONFIDENCE*.

We in the Senate and the people of Florida have *confidence* in this man for a variety of reasons. I will only mention two. First, he is usually *right*. In fact, I cannot think of an occasion when he wasn't right. I know that he truly would rather be *right* than *President*. Second, he is *always fair*. And he is fair without even trying. It is a natural instinct with him and that is why we have *confidence* in him.

The Senator whose name I place in nomination is a strong family man. His lovely wife, Louverne, and their two fine sons, Stephen and Stuart, share a comradeship that epitomizes what many long to see again: The typical American family.

He is a strong man but one who doesn't need to flex his muscles. He is also, as many are aware, a shy and modest person; but he was long ago destined for public service. This quest to serve his fellowman was never more evident than in World War II, when at a very young age, and with great distinction, he gallantly served his country.

Later, as a fledgling legislator from the panhandle, he constantly voted and stood for what was right, often alone and in contrast to the popular thing to do, for hometown consumption.

In his early days when it wasn't very popular even to discuss desegregation, he spoke out loudly and clearly on the people's constitutional rights.

On a subject equally unpopular with the "Pork Chop Gang,"—and he lived in a location where he should have been a member—he was a leader in reapportionment.

There are but a few in Florida government today who have the innate character and fortitude to march to a different drummer.

It is not necessary for me to list for you all of my nominee's honors and accomplishments. In the Florida Legislature for 18 years and in the Senate since 1960, he has been honored time after time as most effective in debate, most effective in committee, most valuable allround member of the Senate, most outstanding member of the Senate and most outstanding Legislator.

These years of experience have given him indepth knowledge of the legislative process and an immense insight into people who serve in the legislature and state problems.

Our next President has been called a maverick which, in his own words, is an old bull that keeps wandering off from the herd. What it really means is that he is *independent*. As an independent thinker and doer, he has always been deeply concerned about the fiduciary relationship between the people—the voters, the taxpayers—and their elected representatives, particularly in the area of *taxation*. His concept of election to high office is that a trust agreement has been signed and that *he is accountable* to the people for *all the functions* of his office and especially for the wise expenditure of every tax dollar collected.

With the strength, the independence, the integrity of this man, and the confidence he exudes, the people of Florida can know the Senate is in good hands. They can expect their money to be held in trust for them. A wise man once said, "To be *trusted* is a greater compliment than to be loved." And to the next President of the Senate, the people of Florida, and we in the Senate, are paying the highest compliment possible. For, as is right and proper, we give him what he has earned—our *complete* trust.

Today we ask God to fill him with wisdom, to endow him with the gift of counsel and to grant him fortitude to rise above human and political pressure so that he may guide legislation with the courage and prudence that is his. We know that in times of difficult decision he will seek the common good. Always aware of God's right, he will work to improve the quality of life for all of us.

It is my great personal privilege to place in nomination for the office of President of this Great Body, my colleague and my friend, the distinguished Senator from the Third, The Honorable Dempsey James Barron.

The Presiding Officer recognized Senator Saunders who seconded the nomination of Senator Barron to be President of the Senate.

Senator Saunders: Mr. President, Senators, I was just sitting here thinking over what I might say about Senator Barron and, incidentally, did you notice he looks a little worried. I recalled 1968, when I first came to the Senate. Following the party nominations in May of that year and prior to the general election in November, Senator Jim Williams, who now is Lieutenant Governor-elect, and I sat right back up here over this rail. We came for the purpose of trying to learn—neither of us having served in any governmental office before—and we watched the Constitutional Revision Session in progress. The President of the Senate at that time was probably the greatest senator that ever walked the halls of this capitol or served here. Beloved everywhere, the late Verle Pope was President of the Senate and Dempsey Barron was President Pro Tem. They were here, together with the other members of the Senate, laboring in the work of re-writing Florida's constitution.

Regardless of where you are it only takes a short time for you to begin to sort out those people who are leading, those who will work and those who are unafraid of making a decision even though it might be unpopular. Dempsey Barron was easy to recognize as one of those people.

I guess the earliest specific thing I can remember with any absolute certainty was Senator Barron sitting approximately where Senator Brantley is now sitting and, as so often he did, he was illustrating a point with an anecdote. I can't remember the point exactly and won't belabor you with it, but I can remember part of the story. It had something to do with a hunter who had come upon a bear on the trail and the bear was about to catch him. The hunter jumped for a limb very high up in a tree. Senator Barron's straight man, and I believe it was Senator Lawton Chiles, asked, "Well did he catch the limb?" Barron said, "Not on the way up."

Here is a man that can be serious and does not flinch from responsibility but, at the same time, has the ability to keep things on a humorous level and on a happy course.

Soon after that experience I became a member of this Body and have since had many opportunities to work with this man on many things.

For example, the revision of Article V in which Senator Barron assumed an outstanding leadership role and labored as you've never seen one labor before. He, more than any other member of this Body, assumed the load and carried the ball. And he did it without looking back or being concerned about any pressures that might be exerted to influence him.

I can think of many other issues such as "no-fault insurance", in which he was extremely involved. And in these kind of things, as those of you that have not walked through it will find, the fire gets hot at times. On occasions like that you find out what a man is really made of.

Verle Pope once said that Senator Barron was probably the least recognized and most able member of this Body. I think we would all agree. We are about to honor him by naming him President of the Florida Senate but I would suggest to you that in reality we are honoring ourselves by naming him.

So, Mr. President, Senators, families and guests, it's a privilege and a pleasure for me to second the nomination of the next President of the Florida Senate, the Honorable Dempsey Barron.

The Presiding Officer recognized Senator Gordon who further seconded the nomination of Senator Barron to be President of the Senate and moved that the nominations be closed.

Senator Gordon: I'm really pleased to have the opportunity to do this, to give you the perspective of a very new member of just two years of service in this Body, and to be involved in the process of giving our response to the crisis in government that Senator Lewis referred to. The central crisis really is developing a process of selecting our leaders so that we have a responsive government that people feel is part of them. I think that's what the crisis is, and while our own formal process of selecting leaders is quite imperfect, it's very interesting. It has been interesting for me to observe the ways in which Senators make that selection.

Now one might think that the individual test is an ideological one and it really isn't, even though it probably is for some people, and some others might think that the test is a sectional one and I think it is for some people but for most it isn't. They might even make it on a personal basis and I think that's true for some but not really for very many. As Senator Saunders pointed out, the leadership that we get reflects where we are and where we want to go. I think that if we look at why we chose Senator Barron, and the process was well under way when I got here, but from looking at the history of this Body since he's been here, and he is the Dean of the Senate, I think it's easy to understand. One of the words that I hate the most in talking about the political process is the word image. We get a lot of that from paid political PR men and people who think that the Madison Avenue way is the way to run the country. But I don't like the word image because it reflects trying to give people some false view of what's really there. And I really think that in selecting Senator Barron we do a lot to break this idea of image—we show a very real person with very real concern; with long experience and who is certainly not indecisive and who certainly has never been temporizing. He will provide a real human dimension to the leadership of this State and of this Senate. That's why I'm very pleased to have this opportunity to second his nomination because I think he's going to provide leadership that reflects the American trait of independence. He's his own man and kind of person and leadership that we need. Mr. President, I move the nominations be closed.

The roll was called on the election of the President and each Senator voted in the affirmative by saying "Dempsey J. Barron". The vote was:

Yeas—39

Brantley	Childers (1st)	Dunn	Gallen
Childers (28th)	Deeb	Firestone	Glisson

Gordon	Lewis	Saunders	Tobiassen
Graham	MacKay	Saylor	Trask
Hair	McClain	Scarborough	Vogt
Henderson	Myers	Sims	Ware
Holloway	Peterson	Spicola	Wilson
Johnston	Plante	Stolzenburg	Winn
Lane (31st)	Poston	Thomas (30th)	Zinkil
Lane (23rd)	Renick	Thomas (4th)	

Nays—None

Senator Barron was unanimously elected President of the Senate.

On motion by Senator Poston that a committee be appointed to escort the newly elected President to the bar of the Senate and to the rostrum, the Presiding Officer appointed Senators Poston, Plante, Vogt, Childers (1st) and Lane (23rd). The newly elected President was escorted to the bar of the Senate where Judge Tyrie Boyer administered to him the oath of office; and to the rostrum where he was seated.

On motion by Senator Wilson that a committee be appointed to escort Mrs. Dempsey J. Barron, wife of the President, to the rostrum, the Presiding Officer appointed Senators Wilson, Zinkil, Winn, Lane (31st) and Stolzenburg. Mrs. Barron was escorted to the rostrum where she was received by the Presiding Officer and seated beside the President.

The Presiding Officer then presented the newly elected and sworn President of the Senate to the Body and surrendered to him the gavel.

The President recognized the Honorable Robert L. Shevin, Attorney General; Mrs. Dorothy W. Glisson, Secretary of State; the Honorable Bruce A. Smathers, Secretary of State-elect and the Honorable Gerald Lewis, Comptroller-elect.

The President addressed the Senate as follows:

Senators Lewis, Saunders, and Gordon: I shall always be grateful to you for your overgenerous remarks, which will not only be an inspiration in the tough two years ahead, but also for the remainder of my life.

As a result of the confidence you have expressed, as well as the confidence of all my colleagues, I hope to find the strength and the courage to bring to reality what will appear to some to be the impossible dream for the people of Florida, and to accomplish it within the next two years.

My special friends who have come here to witness this special occasion and who have lent their support over the years, our indispensable staff of the Senate, the citizens of Florida, my family, and my colleagues of the Senate here assembled: Welcome.

Permit me to present to you the members of my family who have not already been recognized.

My nieces—Joy Lopez, Karen and Brenda Boggs

My nephews—Johnny Boggs and his new wife Lynda, and Gary and Greg Standifer

My brothers—Commander Douglas Barron and Mr. Darrell Barron

My sisters—Mrs. Jack Standifer and Mrs. John Boggs

My two sons—Steve and Stuart

My mother—Mrs. Minnie Barron Harris and her husband Willard

To those of you who were here in May of 1973 for my nomination as President-Designate, I spoke in general terms of areas of concern in our state government.

I told you at that time that I hoped to be more specific on this occasion. Through the work of fellow senators and the staff I will be more specific today, and even more specific in our regular session in the spring. At that time we will have legislation to effectuate desired results.

I hardly need to remind you of the most recent revenue estimates by the Department of Administration, which include the most reliable information available. Suffice it to say that we are down \$117,500,000 between January and November of this year. This report is quite specific in the areas of reduction of revenue, and reflects not only the situation in Florida, but to some degree the situation in the nation and the world. Therefore, the luxury of a massive surplus is one we neither have nor can afford to expect. According to my best sources, the financial situation will be much darker in April of next year. To most presiding officers, this would be a frightening nightmare, and while it is a dark day for the business and working people, it could be a great opportunity for those of us in government. We have for too long refused to cut down on unnecessary growth and make government more responsive.

Luke 12:48 says, "Those to whom much is given, much shall be required." And Winston Churchill said in his country's hour of greatest need: "Do not let us speak of darker days: Let us speak rather of *sterner* days. These are not dark days: These are great days, and we must all thank God that we have been allowed to play a part."

So I call on you now in your proud and responsible roles as state senators. Many of you are just back with a solid mandate from your people to join with me in meeting the task.

As I reminded you last spring, the moneys which we hold and collect in trust for the people we must remember are just that: Moneys held in *trust* to be expended only when necessary and only then in a wise and frugal way. Great and wise Americans have made reference to this since the birth of this nation. Thomas Jefferson, in his inaugural address of 1801, said, "one thing more is needed—A wise and frugal government, which will restrain men from injuring one another, but which shall leave them otherwise free to regulate their own pursuits and shall not take from the mouth of labor the bread it has earned. This is the sum of good government."

The question of taxation has been one of great concern to our people since the inception of this democracy. The first Chief Justice of the United States Supreme Court, Justice John Marshall, warned early, "The power to tax involves the power to destroy." Some years later another great chief justice, Oliver Wendall Holmes, observed, "The power to tax shall not be the power to destroy while this court sits."

Let me assure you, to the extent of the power of the office which I hold, the power to tax shall not be the power to destroy during the next two years in Florida.

In any examination of our taxing structure and governmental operation, I think it important to first look at the areas where the most money is spent. Since in excess of 65¢ of each tax dollar is spent in the field of education, let's look there first. The most money is allocated in the area of kindergarten through twelfth grade, or K-12. Florida has now adopted a funding program which guarantees equal educational opportunity for every child in Florida, regardless of the wealth of the county in which he resides. As you know, this formula has a base figure, with provisions of a weighted formula for the exceptional child program. Our K-12 program has been applauded around the nation as the best and most equitable in the country. We must carefully monitor the weighting provisions as well as the performance of the program. We are in the process of doing that.

The funding program has another advantage; it can easily be adjusted in times when money is in short supply without having to un-do the method of funding, thus preserving the system of equalization.

We have instituted or are instituting sound accounting principles in K-12 designed to give continuing visibility in that field which expends over a billion and one-half of tax dollars every year.

As we leave K-12 and view our community college system and our four-year universities, the picture becomes increasingly clouded, with some visibility in the community college area and less real visibility in the four-year university systems. As difficult as it may be, we as guardians of the taxpayers' trust funds must now begin to pierce the academic veil of secrecy which has for too long surrounded the academic community. And lest anyone misunderstand me, I am not speaking of academic activities, but rather the expenditure of students' and taxpayers' trust funds, which in many cases are one and the same.

Let me give you some hard examples of facts which our investigation so far reveals.

The learning process begins between the first and third grades. It's much more difficult to learn there than it is, say, in the 13th grade, or the first year in college. That's the time when the decision is made, for example, whether or not we will have dropouts, and how a child will be affected in school for the rest of his or her life. We have given consideration to that in our new education formula and we can give you some figures that will shock some of you. The cost per student per year in the 12th grade is \$900 a year. The cost per student per year in the 13th grade or the first year of college, if it's in a Junior College, is \$1200 a year. The cost per student per year in a four-year university, oftentimes more concerned with seeking excellence than with teaching young people, is not \$900 a year as it was in the 12th grade but \$3300 a year. This is contrary to the fact that the primary grades, 1 through 3, are the most vital as far as the learning process is concerned.

This is contrary to the fact that the primary grades, 1 through 3, are the most vital to the learning process.

Stated another way to compare the cost per hour per year:

K-12	costs	\$ 40 per hour, per year
Jr. college	costs	\$ 80 per hour, per year
4-year university	costs	\$220 per hour, per year

This consistently recurring inordinate high cost of programs in universities would seem to say that something is out of line and remember this doesn't count capitol outlay or the really high cost programs of medicine, agriculture, or engineering.

And let's look at still another of the studies which we have conducted in an effort to compare university expenditures to the K-12 budget. Without going into the details of the study, let me tell you that considering 20,000 students in K-12 as compared to 20,000 in the universities (excluding the high cost graduate programs), we found the basic cost to be approximately \$20 million in K-12 as opposed to approximately \$54 million at the university level. Admittedly, we were hampered by the lack of uniform acceptable accounting procedures in the university studies.

Most alarming of the opinions uncovered in staff interviews with higher educators were that of the three missions of universities—teaching, research, and public service—faculty often ranked teaching last in importance. Teaching should come first.

The figures I gave you above reflect incomplete but continuing studies of our universities. Let me however, give you a hard example of how a real savings could be made in a very simple yet graphic manner. If we could increase the student-faculty ratio at the universities from 16 to 20 students per instructor, or increase the average instructing time per faculty member from 10 to 15 hours per week, our study indicates we would save approximately \$35 million *per year*. Additional millions in indirect costs can be saved as well.

We must take a long, hard look at the admission policies. Especially in our professional schools and graduate programs. State supported universities, paid for by all the parents of the students of this state, should not seek and reward only the most academically gifted. Obviously there are other factors which should be and are not being considered. I will soon call a meeting of the Board of Regents, as well as the presidents of the universities, in an effort to arrive at a sensible program of admissions standards rather than arbitrary formulas which give little recognition to the fact that it is, after all, the taxpayer who foots the bill and is entitled to consideration for his children.

Before moving to the next subject, let me give you a brief example of the deficiency in arbitrary admission standards.

Judge Boyer with whom I attended the University of Florida Law School is here today and I'm sure he won't mind if I tell you this story. When we started to go to college at the University of Florida, he was an automobile mechanic from Williston. He had the usual interviews with the usual counselors and they said, "Son, we're going to let you go to school, but be sure that you take some very easy subjects such as physical ed or forestry." I don't mean to say anything bad about forestry because my law partner is sitting right there and he was in forestry before he went to law school and he was number one in the State when he passed the Bar of Florida a few years

ago. They told Tyrie Boyer, "We're going to let you in, but we can't assure you that you'll pass." Let me tell you, he was Phi Beta Kappa, and largely responsible for my getting through and being here today.

Let me pause here to express my thanks to Senators Graham, Gordon, Plante, Lewis, and other members of the Committee on Education for the hard work they are doing in this field. They have acted with exemplary courage in demanding accountability at all levels, in all fields of education. We expect the best quality service available from administrators, teachers and students and we want to be able to prove what's happening to 2½ billion dollars. I should also recognize and applaud the excellent highly motivated staff of the Education Committee for the manner in which they have cooperated, not only with the chairman and membership, but also with the President's office. There is much work to be done, and it will get done.

Let's move now to the next high spender of the taxpayer's dollar—that agency which consumes almost 20¢ of each state tax dollar: Health and Rehabilitative Services. This agency, considered with education, consumes 85¢ of every tax dollar. Since the creation of this agency, in the 1969 reorganization act, it has never really worked efficiently, and is probably working less efficiently now. I can tell you that this agency, which is now spending a billion dollars a year, with over 30,000 employees, is a bureaucratic jungle growing in all directions and absorbing in this bureaucratic haystack millions of dollars which we appropriated for the needy of Florida.

Let me give you a quick but dramatic example of what I mean. The operational overhead of this agency is 15%. An acceptable operational overhead would be about 7%. In the private sector, Blue Cross and Blue Shield, which is charged with the delivery of health services, has an overhead of between 5 and 6%. Merely cutting the overhead of HRS back to 7% would result in a savings in excess of \$24 million a year, on a continuing basis.

To translate this \$24 million annually into human needs, we could support 50,800 children annually who qualify for aid to dependent children. We could absorb some of the reduction in revenue or though we seldom speak of it, we might even cut taxes. This \$24 million, however, is just the beginning of where we could save if we properly do the job of reorganizing the administration of Health and Rehabilitative Services. Undoubtedly, we can better deliver health care to those who qualify, under a reorganized, more responsive, less duplicitous Department of Health and Rehabilitative Services.

In this regard, I strongly urge the removal of prisons from the Department of HRS. The various social experiments we have been carrying on obviously are a miserable failure. Crime is up 33% for the first six months of this year. Breaking and entering of homes is up 59% and \$90 million worth of property has been taken from law-abiding citizens either by robbery, assault or burglary in just the first six months of this year. The people of Florida should not, cannot, and will not support a system which permits this to happen. Able-bodied robbers, murderers, and rapists should no longer be considered in the same breath with the blind, the disabled, the retarded, and the aged.

Our biggest, most effective, and most dangerous lobbyist is the bureaucracy itself. The question is, do we have the strength and determination to halt the bureaucracy in this our year of greatest opportunity, or shall we yield to it, and lose the fight which has already been lost in Washington, as all of you well know. I say to you, the Senate of Florida will not be intimidated and will stand firm and speak with a loud, clear voice in behalf of the taxpayers of the state.

In the area of the environment, we need to, can, and must combine like environmental functions in one place. We cannot permit Florida's landmark environmental laws to be marred by bureaucratic arrogance and inefficiency.

Please understand me clearly. This administration is committed to the sensible protection of our environment, as it is committed to the basic constitutional rights of individuals as long as those rights are not in clear conflict with the rights of the general public. Let me give you a few quick facts in this regard. In the state's issuance of environmental permits, in the first quarter of this year, 50% of the properly drawn applications were not acted upon during the 120 days required by law. The Department of Transportation reports the people are losing \$1,800,000 a year as a result of delays on the part of the permitting agencies; delays merely for the sake of delay. Untold

thousands of citizens in this state, who are entitled to a yes or no answer during their lifetime, have experienced government at its worst in trying to get answers to legitimate requests.

I liken it to a pinball machine government. The machine is comprised of the Pollution Control Board, Department of Natural Resources, Trustees of the Internal Improvement Fund, and the Game and Fresh Water Fish Commission. The citizen or government agency is the ball in the pinball machine. State agencies are the machine's bumpers and flippers, batting the citizen here and there as different parts of government consider his request. Some agencies hope to bat the citizen or other government agencies around so long that they will drop off the board entirely and quit "bothering" them. Too many agencies and too many bureaucrats are involved in what should be relatively simple matters.

The legislature cannot sit idly by while the environment, other agencies of government, and the citizens themselves experience this kind of treatment at the hands of the bureaucracy.

My fellow senators, in closing, let me say to you that history is not something that occurs only in some far away place, later to be read by future generations. The history of tomorrow is today's happening of real, vibrant, meaningful events—events which summon the highest physical and political courage of those who participate. Maybe it would be appropriate to reflect on what great men have had to say during their lifetimes in difficult moments.

Abraham Lincoln said to the opening of the 1862 Congress: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. Fellow citizens, we cannot escape history, we of this congress and this administration will be remembered in spite of ourselves. We say we are for the Union. The world will not forget what we say. We know how to save the Union. The world knows we know how to save it. We, even we here, hold the power and bear the responsibility."

And Jack Kennedy, in his inauguration, had these inspiring words to say: "Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans—born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage, and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed, and to which we are committed today at home and around the world. All this will not be finished in the first one hundred days, nor will it be finished in the first one thousand days, nor in the life of this administration, nor even perhaps in our lifetime on this planet. But let us begin."

This morning we celebrated the 150th anniversary of the Legislature of this great, sovereign, and proud state, at its permanent seat of government. On behalf of your Senate, I placed certain documents of a current nature into a copper vault which will remain unopened for at least fifty years. Among those documents was a review of the problems and the opportunity for solutions which I have outlined to you this afternoon. When that vault is opened, it is my great hope that future historians will treat us well, and say that we had the courage to begin. I assure you we have already begun.

Thank you.

The President recognized Senator Scarborough for the purpose of placing in nomination the name of Senator Alan Trask to be President Pro Tempore of the Senate for the ensuing two years.

Senator Scarborough: Mr. President, distinguished guests, friends of the family and Senators, it is a real pleasure and an honor for me to place in nomination this afternoon the person to serve for the next two years as President Pro Tempore of the Florida Senate.

For those of you who may be here for the first time, this man will serve in cases of absence or inability of the President to preside.

The Senator from the 13th, Senator Trask, and I came to the Senate together, along with many of you here, as freshmen in 1968. We were a little awed by it all and confused as probably some of you freshmen are today.

Senator Trask had a background in government, having served on the Polk County Commission. He had served as Commission Chairman for two years. Those of you who were here in 1968 might recall that as a freshman Senator, the Senator from the 13th distinguished himself very capably when he offered, drafted, introduced and passed the very complicated, but needed, uniform county officials salary act. Since that time Senator Trask has widely become recognized as one of the real leaders of the Florida Senate.

I don't want you to let this handsome cosmopolitan Senator's appearance deceive you because really he is a farm boy at heart and it all had a beginning back in 1933, in Bartow, Florida. I can save you some time by telling you he is 41 years old. But don't let his 41 years fool you because he brings to this office of President Pro Tempore the wisdom of a man much much older and he also brings the energy of a man much younger. Senator Trask brings patience, but most importantly he brings with him a christian teaching that he practices daily.

Last but not least he brings his lovely wife, Jan and their four children, Bill, Don, Ken and Jane, and it is a real honor and a pleasure to nominate my friend and your friend the Honorable Alan Trask as President Pro Tempore for the ensuing two-year term.

The President recognized Senator Childers (1st) who seconded the nomination of Senator Trask to be President Pro Tempore of the Senate.

Senator Childers (1st): With the type of upbringing and background my colleague from the 7th has just described and with his years of dedicated service here in the Senate, Senator Trask is uniquely qualified to be our President Pro Tempore.

While we don't anticipate, Mr. President, the need of someone to take over in your absence, Senator Trask would be the best qualified of anyone I know to fill that position. But more importantly, we know that you, Mr. President, will need someone to help manage this organization and care for the programs that you have described today, and I believe that the Senator from the 13th, Senator Alan Trask, is the best man for the job.

This combination of backgrounds, qualifications, and interests—those of Senator Trask and of our President—gives us the best possible balance for leadership for all the people of the State of Florida.

I am therefore delighted and pleased to second the nomination of Senator Alan Trask from the 13th as President Pro Tempore for the ensuing two years.

The President recognized Senator Myers who further seconded the nomination of Senator Trask to be President Pro Tempore of the Senate and moved that the nominations be closed.

Senator Myers: Mr. President, Senators, the best that can be said of any man is that he is open, fair and patient in his dealings with others, that he's honest, that he's tenacious when he needs to be and that he does his very best in all the tasks he faces. I would say that's a pretty fair description of our Alan Trask, a man whom I'm proud to call a friend and in whom the Senate can be justly proud to have as our President Pro Tempore.

It is said that sometimes being a vice president or President Pro Tempore is like being in the middle of a hurricane—you know you are there but there's not much you can do about it. Senator Trask is going to be there, he's going to be in the dust of the arena and there's plenty that he'll be doing about it as part and parcel of this great administration into which we're about to enter. I am very pleased to further second the nomination of Senator Trask as President Pro Tempore for the ensuing two years and move that nominations be closed.

The roll was called on the election of the President Pro Tempore and each Senator voted in the affirmative by saying "Alan Trask". The vote was:

Yeas—39

Mr. President	Childers (28th)	Deeb	Firestone
Brantley	Childers (1st)	Dunn	Gallen

Glisson	Lane (23rd)	Renick	Thomas (4th)
Gordon	Lewis	Saunders	Tobiassen
Graham	MacKay	Sayler	Vogt
Hair	McClain	Scarborough	Ware
Henderson	Myers	Sims	Wilson
Holloway	Peterson	Spicola	Winn
Johnston	Plante	Stolzenburg	Zinkil
Lane (31st)	Poston	Thomas (30th)	

Nays—None

Senator Alan Trask was unanimously elected President Pro Tempore of the Senate.

On motion by Senator Thomas (4th) that a committee be appointed to escort the newly elected President Pro Tempore to the bar of the Senate, and to the rostrum, the President appointed Senators Thomas (4th), Hair, Henderson, Childers (28th) and McClain. The President Pro Tempore was escorted to the bar of the Senate where Judge Tyrie Boyer administered to him the oath of office; and to the rostrum where he was seated.

On motion by Senator Gallen that a committee be appointed to escort Mrs. Trask, wife of the President Pro Tempore, to the rostrum, the President appointed Senators Gallen, Johnston, Dunn, Sayler and Sims. Mrs. Trask was escorted to the rostrum where she was received by the President and seated beside the President Pro Tempore.

The President recognized the following members of the family of the President Pro Tempore: Mr. and Mrs. Griffin Trask, parents; Bill Trask, Pam, Chris and Paul Colee, children; sisters, Mrs. Bet James and her husband, Jack, and their son, J. P.; and Mrs. Janet Heidtman and husband, Edward, and their son, Edward, Jr.

The President presented the President Pro Tempore to the Senate where he spoke briefly to the Senate.

Senator Myers placed in nomination the name of Joe Brown to be Secretary of the Senate for the ensuing two years.

On motion by Senator Plante the nominations were closed.

The roll was called on the election of the Secretary of the Senate and each Senator voted in the affirmative by saying "Joe Brown". The vote was:

Yeas—40

Mr. President	Graham	Myers	Stolzenburg
Brantley	Hair	Peterson	Thomas (30th)
Childers (28th)	Henderson	Plante	Thomas (4th)
Childers (1st)	Holloway	Poston	Tobiassen
Deeb	Johnston	Renick	Trask
Dunn	Lane (31st)	Saunders	Vogt
Firestone	Lane (23rd)	Sayler	Ware
Gallen	Lewis	Scarborough	Wilson
Glisson	MacKay	Sims	Winn
Gordon	McClain	Spicola	Zinkil

Nays—None

Joe Brown was unanimously elected Secretary of the Senate and Judge Tyrie Boyer administered the oath of office to him.

Senator Childers (1st) placed in nomination the name of John D. Melton to be Sergeant at Arms of the Senate for the ensuing two years.

On motion by Senator Ware the nominations were closed.

The roll was called on the election of the Sergeant at Arms and each Senator voted in the affirmative by saying "John D. Melton". The vote was:

Yeas—40

Mr. President	Childers (28th)	Deeb	Firestone
Brantley	Childers (1st)	Dunn	Gallen

Glisson	Lane (23rd)	Renick	Thomas (4th)
Gordon	Lewis	Saunders	Tobiasen
Graham	MacKay	Sayler	Trask
Hair	McClain	Scarborough	Vogt
Henderson	Myers	Sims	Ware
Holloway	Peterson	Spicola	Wilson
Johnston	Plante	Stolzenburg	Winn
Lane (31st)	Poston	Thomas (30th)	Zinkil

Nays—None

John D. Melton was unanimously elected Sergeant at Arms of the Senate and Judge Tyrie Boyer administered the oath of office to him.

On motion by Senator Holloway that a committee be appointed to notify the House of Representatives that the Senate was convened, the President appointed Senators Holloway, MacKay, Spicola, Renick, Thomas (30th) and Tobiasen.

On motion by Senator Graham that a committee be appointed to notify the Governor that the Senate was convened, the President appointed Senators Graham, Firestone, Glisson, Peterson and Deeb.

A committee from the House of Representatives, composed of Representatives Gordon, Nelson and Poole appeared at the bar of the Senate and notified the Senate that the House of Representatives was duly convened. The President expressed the appreciation of the Senate for the report and the committee withdrew.

The committee appointed to wait upon the House of Representatives returned to the chamber and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to wait upon the Governor returned to the chamber and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

On motion by Senator Brantley the Rules of the 1974 Regular Session were adopted to govern the Senate until such time as the Committee on Rules and Calendar, when announced by the President may report.

The President announced the appointment of the Committee on Rules and Calendar:

Senator Brantley, Chairman; Senator Lewis, Vice Chairman, Senators Myers, Childers (1st), Gallen, Graham, Gordon, Scarborough, Poston, Saunders, Trask, Ware, Plante, Lane (31st), Henderson, Firestone and McClain.

On motion by Senator Plante the Senate stood in recess at 3:55 p.m. for the purpose of a meeting of the Committee on Rules and Calendar.

The Senate was called to order by the President at 5:10 p.m. A quorum present.

REPORT OF COMMITTEE

The Honorable Dempsey J. Barron
President of the Senate

Sir:

Your Committee on Rules and Calendar respectfully recommends the Rules hereto attached as the Rules of the Senate.

In meeting of the Committee duly assembled for the purpose of recommending the Rules of the Senate, upon motion to adopt the Rules, the vote of the Committee was as follows:

YEAS: 15

NAYS: 0

*Respectfully submitted,
Lew Brantley, Chairman
Committee on Rules and Calendar*

RULES OF THE FLORIDA SENATE

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—OFFICERS OF THE SENATE

1.1—A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They are to continue in office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur. They shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At said organization session, the minority party shall by caucus elect a leader, the name of whom shall be certified to the Secretary of the Senate.

1.2—The President shall call the Senate to order at the hour provided by these Rules or at the hour to which the Senate adjourned at the next preceding session. Upon the appearance of a quorum, he shall cause the Senate to proceed with the daily order of business. He may recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. In case of disturbance he may cause the area to be cleared. Unless authorized by the President, no food or newspapers shall be permitted in the Senate Chamber while the Senate is in session.

1.4—The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, or authorization for payment or other papers shall issue without the signature of the President. The President shall approve vouchers. He shall decide all questions of order, subject to an appeal by any Senator. The President is authorized to incur such travel and per diem expenses as are necessary in the preparation for the next session of the legislature. For the purposes of carrying on the financial business of the Senate, the President of the Senate and the Chairman of the Committee on Rules and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred as authorized.

1.5—The President shall appoint all standing committees and standing subcommittees as well as all conference and select committees which, from time to time, may be ordered by the Senate.

1.6—The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

The President's
vote

1.7—(a) The President may name any Senator to perform the duties of the chair.

Vacating chair;
duties of President Pro
Tempore

(b) Upon the death, disability or other absence of the President and his omission to make such appointment, the President Pro Tempore shall assume the duties of the chair.

(c) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from designating a presiding officer.

(d) Upon the resignation of the President from that office, he may, prior to such resignation, designate a member of the majority party to assume the duties of the chair until a permanent successor is elected.

1.8—There shall be a Secretary of the Senate who shall be elected for a period of two (2) years pursuant to the provisions of section 11.15, Florida Statutes. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

Election of
Secretary of
the Senate

The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary from time to time. The Secretary shall be the enrolling and engrossing clerk of the Senate but may designate an assistant enrolling and engrossing clerk. The Secretary shall generally supervise all matters pertaining to Senate business.

1.9—In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the legislature, call the Senate to order and, pending the election of a President or a President Pro Tempore, preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

Secretary's
duties at
organization

1.10—The Secretary shall cause to be kept a correct journal of the proceedings of the Senate, and this daily Journal shall be numbered serially from the first day of each session of the legislature. He shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. He shall not permit any records or papers belonging to the Senate to be removed from his custody other than in the regular course of business and upon proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

Duties generally;
keeps Journal

1.11—The Secretary shall prepare a daily calendar which shall set forth: (1) the order of business; (2) the committee report on each bill, i.e., whether favorable, favor-

Daily
calendar

able with committee amendments, or favorable with committee substitutes; (3) the status of each bill, i.e., whether on second or third reading; and (4) notices of committee meetings.

1.12—The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

Reads papers,
calls roll

1.13—The Secretary shall attest to all writs, warrants, subpoenas, and authorizations for payment issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

Attests to war-
rants and sub-
poenas; certifies
passage

1.14—The Secretary shall prepare the copy for all printed forms used by the Senate.

Prepares
printed forms

1.15—The Secretary shall examine bills upon their tender for introduction but prior to their receiving a number he shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

Examines
legal form of
bills for
introduction

1.16—The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

Indexes bills

1.17—The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

Transmits bills
to House of
Representatives

1.18—The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. He shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the Senate Legislative Services for research and summary. He may retain such messages for two (2) days and shall cause such summaries to be delivered to each Senator on the morning of the day such messages shall be acted upon by the Senate. Special notice of the summaries will be given to those Senators who are prime introducers of bills amended by the House.

Receives and
delivers for
reading messages
from House;
summaries of
House amend-
ments to Senate
bills

1.19—There shall be a Sergeant at Arms of the Senate who shall be elected for a period of two (2) years, pursuant to the provisions of section 11.15, Florida Statutes. The Sergeant at Arms shall be under the supervision of the President. He shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the President or other presiding officer; he shall execute the commands of the President of the Senate and of the Senate, and all processes issued by authority thereof. The Sergeant shall have charge of all property of the Senate and will disburse the expendable materials to Senators for their official use; he shall distribute the number of Journals and Calendars certified to him by the Secretary of the Senate. The Sergeant shall have general charge of the gallery of the Senate and shall maintain order therein and shall police the Chamber and committee rooms of the Senate and shall be responsible therefor.

PART TWO—SENATORS

1.20—Every Senator shall be within the Senate Chamber during its sessions unless excused for just cause or necessarily prevented, and shall vote on each question. No Senator shall be required or permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

1.21—The President may excuse any Senator from attendance in the Senate and its committees for any stated period, and such excused absence shall be noted on the Journal.

1.22—Any Senator necessarily absent from a session of the Senate or its committees and having in his possession any papers relating to the business of the Senate shall leave such papers with the Secretary before departing from the Capitol.

1.23—Any Senator who answers roll call at the opening of any session or who enters after roll call and announces his presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

1.24—In cases of contest concerning a seat in the Senate, notice setting forth the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the legislature; and in such case, the contest shall be determined by majority vote as speedily as is reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Each Senator shall be entitled to such facilities and expense as may be necessary and expedient to the fulfilment of the duties of the office, the location and sufficiency of which shall be determined by the President.

PART THREE—EMPLOYEES OF THE SENATE

1.26—Disputes or complaints involving the competency or decorum of a Senate employee or attache, except those officers elected by it, may be resolved by the President who may terminate the services of any employee or attache for just cause, or in his discretion, may refer the matter to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop upon the date of termination. Any Senator's spouse or immediate relatives may serve in any authorized position, provided, however, that said spouse or relative shall not receive compensation for services performed in said positions.

1.27—No employee or attache of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any measure whatsoever. Violation of this rule by an employee or attache shall be grounds for summary dismissal. This rule shall not preclude the performance of such duties as may be properly delegated to a Senator's aide.

1.28—Employees and attaches shall perform the duties assigned to them by the President and required of them by rule and custom of the Senate. When the Senate is in session, attaches and employees will remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the same hours of employment as regular capitol employees or in case of part-time employees and Senator's personal aides, such hours as may be prescribed by their department head.

1.29—If employees are absent without prior permission save for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.30—Senate employees shall be regulated concerning their political activity pursuant to section 110.092, Florida Statutes.

1.31—All secretaries, stenographers, typists, verifiers, and other clerical assistants not specifically assigned to a Senator, or to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

1.32—The doorkeepers, janitors, pages, messengers, and attaches, except where otherwise specifically provided in these Rules or by order of the President, shall be under the supervision of the Sergeant at Arms.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.33—Every Senator shall so conduct himself to justify the confidence placed in him by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his office.

Legislative conduct

1.34—A Senator shall not accept anything which will improperly influence his official act, decision, or vote.

Improper influence

1.35—A member of the Senate shall not allow his personal employment to impair his independence of judgment in the exercise of his official duties.

Conflicting employment

1.36—A member of the Senate shall not use his influence as a Senator in any matter which involves substantial conflict between his personal interest and his duties in the public interest.

Undue influence

1.37—A Senator shall disclose any personal, private, or professional interest in a bill which would inure to his special private gain or the special gain of any principal to whom he is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his disqualification.

Disclosure and disqualification

1.38—Senate employees shall be accountable to the intent of this rule.

Senate employees and conflicts

1.39—All questions relating to the interpretation and enforcement of these Rules touching upon legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without his consent.

Advisory opinions

1.40—Separately from any prosecutions or penalties otherwise provided by law, any Senator determined to have violated the requirements of the rule regulating ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds ($\frac{2}{3}$) vote of the Senate, upon recommendation of the Committee on Rules and Calendar. The Committee, before making said recommendation, shall conduct a hearing after giving reasonable notice to the Senator alleged to have violated this rule and grant said Senator an opportunity to appear at the hearing.

Penalties for violations

RULE TWO

COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM AND DEBATE

PART ONE—COMMITTEES—ORGANIZATION, DUTIES AND RESPONSIBILITIES

2.1—Permanent standing committees and standing subcommittees, when created and designated by rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the following named standing committees and standing subcommittees provided that each standing committee shall consist of not less than five (5) members:

Standing committees; standing subcommittees

AGRICULTURE
COMMERCE
EDUCATION
GOVERNMENTAL OPERATIONS
HEALTH AND REHABILITATIVE SERVICES
JUDICIARY—CIVIL
JUDICIARY—CRIMINAL
NATURAL RESOURCES AND CONSERVATION
RULES AND CALENDAR
TRANSPORTATION
WAYS AND MEANS
Subcommittee A
Subcommittee B
Subcommittee C

Each standing committee or the chairman thereof may appoint, from time to time, a select subcommittee to study or investigate a matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall be in existence for only that time necessary to complete their assignments and report to their standing committees. The advisory reports by select subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended or rejected by majority vote.

2.2—Permanent standing committees and standing subcommittees are authorized: (a) to maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each such subject area. The standing committee or subcommittee is authorized to invite public officials and employees and private individuals to appear before the standing committee or subcommittee for the purpose of submitting information and may require reports from departments performing functions reasonably related to the committee jurisdiction.

Powers and responsibilities of committees

(b) In order to carry out its duties, each standing committee or subcommittee is empowered with the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(c) In order to carry out its duties, each standing committee or subcommittee may request of the Presi-

dent the issuance of subpoenas and subpoenas duces tecum and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence desired by such committee. The President may issue said process on behalf of the standing committee or the chairman thereof. Any member of such standing committee or subcommittee, may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may desire evidence.

2.3—Prior to the convening of each regular session of the legislature, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation, and file same with the President of the Senate and the Secretary of the Senate.

Committee reports prior to session

Prior to the convening of each regular session of the legislature, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation, and submit same to the chairman of the standing committee for consideration by such committee.

2.4—A committee, through its chairman, shall be authorized the services of such personnel as may be necessary to carry out its duties and functions, subject to such guidelines and criteria as may be authorized by the President, and subject also to the pay and classification code of the Senate, provided that the President may authorize the joint utilization of personnel with the House of Representatives and may authorize the Senate to participate in the cost.

Committee staffing

2.5—No committee or Senator shall make application for or utilize federal funds, personnel, services, or facilities unless approval by the Committee on Rules and Calendar is first obtained.

Committee utilization of federal funds

2.6—Notice of meetings of standing committees or standing subcommittees shall be published in the daily calendar. No committee shall consider any bill unless proper notice thereof shall have been published in the calendar for the legislative day preceding and the day of such committee meeting. The chairman of a committee or subcommittee or in his absence, the vice chairman, shall provide the Secretary's office with written information concerning meetings, which shall include the date, time and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered.

Notice of meetings

Before any standing committee or standing subcommittee of the Senate holds a meeting while the legislature is not in session, a notice of said meeting, with the number of each bill to be considered, stating date, time and place, shall be filed with the Secretary of the Senate at least fourteen (14) days prior thereto. The Secretary shall give notice to the membership at least seven (7) days prior to said meeting.

2.7—Any bill reported by any standing committee without proper notice having been published in the daily calendar shall be recommitted to the committee reporting the same upon the point of order being made within two (2) days after such report is printed in the Journal. The committee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

Bills recommitted

Any bill reported by any standing subcommittee to its standing committee without proper notice having been published in the daily calendar shall be recommitted to the subcommittee reporting same upon the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

2.8—For publication in the daily calendar, notice of standing committee or standing subcommittee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication, unless such day should be on a Friday, in which event such delivery shall be by 2:30 p.m. Hearing notices shall appear in the daily calendar.

Notice of hearing; publication

2.9—Each standing committee and standing subcommittee shall consider, as expeditiously as is reasonably possible and proper, the public business assigned to it. For the purpose of facilitating this, the President shall group the standing committees and subcommittees in such manner as to provide each with an opportunity to meet without conflicting with the meetings of other committees to which members have been appointed.

Committee meetings; committee meetings after 50th day

The Committee on Rules and Calendar shall with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular sessions and during the interim, and deliver a copy of same to each Senator, provided, however, that such scheduling shall not limit the powers of the chairman of a standing committee or subcommittee as provided in these rules.

Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

2.10—Each committee shall regularly meet in the place assigned for its use by the Committee on Rules and Calendar, and notice of such assignment shall be posted by the Sergeant at Arms on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Committee on Rules and Calendar and the Sergeant at Arms for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the Senate.

When, where committees meet

2.11—The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his aide or committee staff member, or any other representative possessed of written permission to speak for the bill in his behalf. Bills shall be considered when reached on the committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his behalf, unless a majority of the committee shall decide otherwise.

2.12—Bills shall be considered in the order appearing in the notice required by these Rules, except that the chairman may, in his sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

A bill may otherwise be considered out of its order on the committee calendar upon unanimous consent obtained in the following manner: The Senator moving for such unanimous consent shall have, prior to the entertainment of such motion, orally given the committee not less than fifteen (15) minutes' notice of his intention to so move which said notice shall specify the number of the bill. The moving Senator shall be allowed one (1) minute upon the entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

2.13—All committee meetings shall be open to the public, subject always to the powers and authority of the chairman to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matters shall be referred to such committee upon a point of order made prior to final passage thereof.

2.14—A bill which has been introduced and referred to committee can be removed only upon motion of the sponsor and by a two-thirds (2/3) vote of the membership present and voting; provided however, any bill which has been in committee fifteen (15) legislative days or more may be removed from committee upon motion of the sponsor. Such motion, when made, shall carry over for a period of five (5) legislative days to give the committee of reference time to meet. Failure of the committee to meet and consider such bill within said time will permit the sponsor of the bill to remove it from committee upon a point of order.

2.15—It shall be the duty of standing committees to report all matters referred to them either (a) favorably, (b) favorably with committee amendment, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter upon the Journal the action of the committee, which shall not

include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

All matters referred to standing committees shall be reported by said committees with their recommendations thereon; and after such report has been received by the Secretary, no matter so reported shall be recommended to a committee except by two-thirds (2/3) vote of the Senators present and voting in session.

A standing committee, in reporting a Senate measure, may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure. A Senate committee may not recommend a Senate committee substitute for a House bill. The substitute measure must be accompanied by the original measure referred to the committee and returned to the Secretary in the same manner as the favorable reporting of any other measure. No other standing committee of reference shall consider the original measure but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill as originally introduced. When the original measure is reached upon the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu thereof without motion. The substitute shall carry the identifying number of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure [an original (1) and six (6) exact copies]. Although a committee substitute may treat the substance of several bills pending before the committee, the committee report shall address itself to only one of such bills in reporting a committee substitute. The introducer of the original measure shall be shown by the committee secretary on the committee substitute unless the said introducer requests that his name be omitted. A committee substitute may be co-sponsored by any Senator whose signature is affixed to the original thereof.

All standing committee reports shall be signed by the chairman, or in his absence, the vice chairman, and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be typewritten in full on amendment forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.16—It shall be the duty of standing subcommittees to report all measures referred to them directly to the parent standing committee, which shall promptly certify a copy thereof to the Secretary of the Senate. The standing subcommittee shall report all measures either (a) favorably, (b) favorably with committee amendments, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (a) the time and place of the meeting at which the action was taken, and (b) the vote of each member of the subcommittee on the motion to report each bill or resolution.

A standing subcommittee may, in reporting a bill to the parent standing committee, draft a new measure, embracing the same general subject matter, to be returned to the parent standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the parent standing committee in the same manner as the favorable reporting of any other measure.

All standing subcommittee reports shall be signed by the chairman, or, in his absence, the vice chairman, and shall be made on forms prescribed by the Secretary of the Senate. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be typewritten in full on amendment forms, numbered serially and attached to the measure.

All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. Upon motion by any member of the committee, adopted by a two-thirds (2/3) vote of the committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee it shall receive a hearing de novo and witnesses shall be permitted to testify.

When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony of witnesses shall be permitted except upon vote of two-thirds (2/3) of the standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

2.17—A committee or standing subcommittee is actually assembled only when a quorum of committee constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this rule shall be forthwith recommitted by the President when it is called to his attention by a Senator.

2.18—(a) Upon receipt from the Secretary of each prefiled bill, in the event the President has not previously designated a standing subcommittee of reference, the chairman of a committee shall either refer to a standing subcommittee, refer to a select committee as otherwise provided in these Rules or agenda for a meeting of the standing committee. In either event, the chairman shall concurrently notify the Secretary of the Senate of his action upon forms provided for such report. The chairman of the standing subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall, with the concurrence of the President, determine the time and place for the hearing during which such bill is to be considered and notify the Secretary as required by these Rules.

(b) Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on Ways and Means shall not be required to file such report of any prefiled bill defined in these Rules.

(c) A prefiled bill introduced solely by a Senator who will not be a Senator at the next ensuing regular session of the legislature shall be reported unfavorably without notice or hearing. A copy of each such bill shall be mailed to each committee member for the purpose of determining possible sponsorship. Such an automatic report shall not preclude the introduction of another bill of identical substance.

2.19—Conference committees shall consider and report only on the differences existing between the Senate and the House and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

There shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees shall have been appointed for seven (7) calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees; further, during the last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees shall have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—A chairman and a vice chairman of each standing committee shall be appointed by the President preceding the regular session held each odd-numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chairman for each standing subcommittee authorized by these Rules, and may designate a vice chairman, both of whom shall continue in office at the pleasure of the President.

2.21—The chairman or, in his absence, the vice chairman, shall call the committee to order at the hour provided by these Rules. Upon the appearance of a quorum the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

Calls
committee to
order

2.22—The chairman or vice chairman shall preserve order and decorum and shall have general control of the committee room. In case of a disturbance or disorderly conduct in the committee room, he may cause the same to be cleared.

Chairman's
control

2.23—The chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. He shall decide all questions of order, subject to an appeal by any Senator, which appeal shall be certified by the chairman to the Senate for a decision by the President during the daily session of the Senate next following such certification which ruling shall be entered in the Journal and shall constitute binding precedent upon all committees of the Senate. A ruling by the President on any question certified shall be subject to appeal as any other question. The chairman may, or upon the vote of a majority of the committee, shall certify a question of parliamentary procedure to the President as contemplated by the rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

Chairman's
authority;
appeals

2.24—The chairman and vice chairman shall vote on all matters before such committee, provided that the name of the chairman shall be called last.

Chairman, Vice
Chairman: vote

2.25—The chairman may name any member of the committee to perform the duties of the chair provided that such substitution shall not extend beyond such meeting. In his absence and omission to make such appointment, the vice chairman shall act during his absence.

Temporary
alternate
to Chairman

2.26—Upon the death, incapacitation or resignation of the chairman, the vice chairman shall perform the duties of the office until and unless the President shall appoint a successor. In the absence of the chairman, the vice chairman shall act as chairman. Upon the death, incapacitation or resignation of the chairman, the President shall appoint a new chairman.

Vice Chairman
duties

PART THREE—COMMITTEES—MEMBERS

2.27—Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented, and shall vote on each question except that no member of a committee shall be required or permitted to vote on any question

Members' attend-
ance, voting,
proxy

immediately concerning his private rights as distinct from the public interest.

No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes upon the disposition of any bill or other matter considered by the committee.

The chairman may excuse any Senator for just cause from attendance on the meetings of his committee for any stated period, and such excused absence shall be noted on the records of such committee.

Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chairman of the committee, shall constitute automatic withdrawal from the committee.

PART FOUR—COMMITTEES—VOTING

2.28—The chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then upon a showing of hands by three (3) members, the chairman shall take the sense of the committee by yeas and nays. In all cases where the committee shall be equally divided, the question shall be lost.

Taking the
vote

Prior to the announcement of the result of a roll call, notice shall be taken in the records of the committee of the request of any Senator to (1) change his vote or (2) vote. After the vote has been announced, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final action of the committee until the measure shall first have been recalled to the committee for further consideration. Upon request of a member prior to consideration of other business, the chairman shall order a verification of a vote.

2.29—No pairing shall be permitted by the committee.

Pairing
prohibited

2.30—No Senator shall vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished in such a manner as the Senate may deem proper. Any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session, in addition to such punishment as may be prescribed by law.

No person votes
for another

2.31—No Senator shall be permitted to defer or explain his vote during a roll call, but may reduce his explanation to writing; and upon filing with the chairman, this explanation shall be retained as a part of the committee record and a copy thereof filed with the Secretary of the Senate.

Explanation
of vote

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Every motion may be made orally. Upon request of the chairman, a Senator shall reduce his motion to writing. After a motion has been stated or read by the chairman, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended, or before a vote thereon shall have been commenced.

2.33—When a question is under debate, the chairman shall receive no motion except:

1. To rise
2. To take a recess
3. To reconsider
4. To limit debate
5. To temporarily pass
6. To postpone to a day certain
7. To commit to a select subcommittee
8. To amend

which several motions shall have precedence in the descending order given.

The chairman shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

2.34—Any Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

2.35—When a question has been decided by a committee any Senator voting with the prevailing side, or when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may move the reconsideration thereof. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the committee shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—The motion to reconsider shall require for its adoption the affirmative votes of a majority of the committee present and voting.

2.37—Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon motion to reconsider is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

2.38—A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS

2.39—Amendments shall be filed with the chairman on forms prescribed by the Secretary but shall be considered only as sponsors, who are members of the committee, gain recognition from the chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chairman and has moved its adoption. Amendments which have been filed with the chairman, the adoption of which have not been formally moved, shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

2.40—An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.

2.41—A proposal to strike out all after the enacting clause or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title, shall be deemed proper and germane and shall be treated as an amendment.

2.42—The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or resolution is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chairman shall, in recognizing Senators for the purpose of moving the adoption of amendments, endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the whole bill shall be open for amendment.

2.43—Any House bill may be amended in the same manner as a Senate bill.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.44—When any Senator desires to speak or deliver any matter to the committee, he shall respectfully address himself to "Mr. Chairman" and, on being recognized, may address the committee and shall confine himself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. In all such cases, a Senator shall appropriately use the appellation of Senator or such appellation and the surname of the Senator referred to or addressed.

2.45—When two (2) or more Senators speak at once, the chairman shall name the Senator who is to be first recognized.

2.46—No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by rising to a question of privilege, a point of order requiring an immediate ruling, an appeal from the decision of the chairman concerning a point of order (if the appeal is made immediately following the decision), a parliamentary inquiry requiring an immediate reply, or to question the existence of a quorum. The chairman shall strictly enforce this rule.

2.47—When a member is speaking and another member interrupts to request recognition, it is the right of the chairman to permit the person rising to state why he desires the floor; if the question he desires to raise is entitled to precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of.

The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.48—No Senator shall speak for any longer period of time than ten (10) minutes without yielding the floor, except by consent of a majority of the Senators present.

2.49—When a measure is under debate by the committee, it shall be in order for a Senator to move to limit debate, and such motion shall be decided without debate, except that the introducer of the measure shall have five (5) minutes within which to discuss said motion and he may divide his time with, or waive it in favor of, some other member. If, by two-thirds (2/3) vote of the Senators present, the question is decided in the affirmative, debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chairman.

2.50—All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.51—A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

2.52—The proper method of taking exception to a ruling of the chairman is by appeal. An appeal from a decision of the chairman must be made promptly, and before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chairman. This second decision is also subject to appeal.

2.53—An appeal from a decision of the chairman on a point of order is debatable even though the question out of which it arose was not debatable.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—(a) General Form. All bills shall be type-written, double spaced, in a type size of pica or larger, and of the color of black, without erasure or interlineation, on plain white paper of a common legal size. The copies must be exact duplicates of the original. The top margin of the first page shall be at least two (2) inches, and aligned on the page substantially according to the following form:

A bill to be entitled

An Act _____

(TRIPLE SPACE)

Be It Enacted by the Legislature of the State of Florida:

(TRIPLE SPACE)

Section 1 _____

Section 2 _____

(b) Bill Backing. The original must be backed in a folder-jacket signed by the sponsor(s), with six (6) exact copies which are backed with jackets prescribed by the Secretary and furnished by the Sergeant at Arms. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers, or the introducing committee and its chairman, and enough of the title for identification. The six (6) copies must have clearly stamped on the jacket, one of each at the space provided for the number, "Duplicate", "Third Copy", "Fourth Copy", "Fifth Copy", "Sixth Copy", "House Copy".

(c) Bill Paper. All bills shall be on paper with thirty-one (31) numbered spaces, the first beginning not less than eight (8) nor more than ten (10) spaces from the top of the page, and vertical guide lines as prescribed by the Secretary of the Senate, with the words "A bill to be entitled" appearing on the third numbered space of the first page. These requirements may be waived by the Secretary of the Senate as to the general appropriations bill, but in such event shall be in a form approved by the Secretary.

(d) New and Deleted Matter. Bills which propose to amend existing provisions of the Florida Statutes (as described in section 11.242, F.S.) or the Laws of Florida shall contain the full text of the section, subsection or paragraph to be amended. Joint resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended.

As to general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes or of the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens.

In the event the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See Section . . ., F.S., for present text." When such notation is used it shall be underlined.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

No portion of a bill shall be typed with underlining, except as provided by this rule.

3.2—All bills (as distinguished from resolutions and memorials) shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:". The title of each bill shall be prefaced by the words, "A bill to be entitled An act". Standard rules of capitalization shall apply.

3.3—As required by article III, section 10 of the Constitution, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Sergeant at Arms. All local bills which require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill as the first or front page thereof, and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—All joint resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Each joint resolution shall be prefaced by the words: "A Joint Resolution . . ."

3.5—All memorials shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Form of joint resolutions

3.6—All Senate resolutions and all concurrent resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". Where copies of Senate resolutions are directed in the resolution to be furnished any person after adoption, these shall be prepared only by the Secretary of the Senate. Form of resolutions, Senate and Concurrent

3.7—To facilitate the process of committee reference all bills for introduction prepared by the Senate Legislative Services shall be delivered to the Secretary no later than 12:00 o'clock noon of the second day preceding the day of introduction. To facilitate the summarizing of legislative measures, all bills not so prepared shall be delivered to the Secretary not later than 12:00 o'clock noon of the fourth day preceding introduction, (unless said bill or measure shall be earlier returned to the Secretary with a summary attached, in which event the Secretary shall schedule said bill or measure for introduction on the next succeeding day). This rule may be waived only upon unanimous consent, the motion for which shall not be entertained unless the movant thereof shall have first notified the Senate orally, not less than thirty (30) minutes preceding the motion, of his intention to move for the waiver of this rule so as to have introduced a specific bill or bills sponsored by him. The adoption of such motion shall be construed as reverting the Senate to the Order of Introduction and Reference of Bills solely for the reception of said bill or bills for formal introduction and reference. Introduction during session

Between regular sessions of the legislature, bills may be prefiled by delivery to the Secretary of the Senate.

3.8—A prefiled bill complying with these rules shall, anticipatory of the next regular session, be serially numbered in accordance with the permanent system required by these Rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise Prefiled bills

withheld from the operation of this rule. Such a bill shall be treated as if it had been delivered for introduction on the first day of the succeeding regular session.

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill shall be provided each Senator. The Secretary shall regularly mail to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

Each bill, having been considered by a committee, the report of which has been received by the Secretary at least seven (7) days preceding a regular session, shall be introduced and read on the first (1st) day thereof, pursuant to the Constitution, Laws of Florida, and these Rules. The Reading Clerk shall recite the committee reference and the Journal shall reflect the report of the Committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged, if the jurisdictional requirements of this rule have been complied with as to each of such bills.

In the event a committee fails to deliver its report of a prefiled bill prior to seven (7) days next preceding the convening of a regular session or, in the event a prefiled bill had received a reference to more than one (1) committee and less than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

Notwithstanding these Rules, any Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee which motion may be adopted by a two-thirds (2/3) vote.

3.9—Upon introduction, all bills not local in application and all joint resolutions (including committee bills and committee substitute bills) shall be printed for the information of the Senate and the public. The number of copies of each such measure shall be determined each year by the contract for printing. The Secretary shall furnish the copy for printing. This printing of bills shall be independent of the legislative process, and the absence of a printed copy shall not delay the progress of any measure at any stage of the legislative process.

3.10—Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall so mark the original copy of each measure as to insure its identification, and each page thereof, as the item introduced in order

to prevent unauthorized or improper substitutions therefor. This identification may be by the use of machines as used in banks for validating or cancelling checks or other documents, or by the use of any other device to accomplish the purpose of this rule. Any such device so used shall be used by and at all times shall be in the custody of the Secretary, and its use by any person not authorized by this rule is prohibited.

3.11—Whenever any Senate bill shall be reached on the calendar of the Senate for consideration, either on second or third reading, and there shall be also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote and take up and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, then the original Senate measure shall be regarded as automatically tabled. Recombitment of a Senate bill shall automatically carry with it any House companion measure then on the Calendar.

3.12—Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original thereof, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original thereof. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original thereof. The general appropriations bill shall always be introduced by the Committee on Ways and Means.

3.13—All general bills or joint resolutions affecting revenues, expenditures or fiscal liability shall be accompanied by a fiscal note upon being favorably reported by the Committee on Ways and Means. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures and the present and future fiscal implications of the bill or joint resolution. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

The staff of the Committee on Ways and Means shall be responsible for preparing fiscal notes and shall solicit the cooperation of appropriate state agencies for necessary data.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate in the same manner as printed bills.

In the event that any bill or joint resolution affecting revenues, expenditures, or fiscal liability is reported favorably by the Committee on Ways and Means without a fiscal note, it shall be the right of any Senator to raise a point of order on second reading and the President shall order return of the bill or joint resolution.

Companion
measures

Introduction of
bills

Fiscal
notes

Printing
of bills

Identification
of bills

tion to the Committee on Ways and Means. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—The Senate shall meet pursuant to a schedule adopted from time to time by the Committee on Rules and Calendar and approved by the President, which shall set forth hours of convening and adjournment.

4.2—A majority of the Senate shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. Any Senator at any time may question the existence of a quorum.

4.3—The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Reports of committees
4. Motions relating to committee reference
5. Messages from the Governor and other executive communications
6. Messages from the House of Representatives
7. Matters on reconsideration
8. Special Order as determined by the Committee on Rules and Calendar
9. Consideration of bills on third reading
10. Consideration of bills on second reading
11. Correction and approval of Journal

The Secretary of the Senate shall prepare and cause to be distributed, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

Certain messages from the House of Representatives may be withheld from the daily order of business pursuant to Rule 1.18 or upon order of the President.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.

At 8:30 a.m. every legislative day, the President or President Pro Tempore or member of the Senate designated by the presiding officer shall call the Senate to order for the sole purpose of conducting the order of business of "Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions". During this period, the chairman of the Committee on Rules and Calendar or his designate from such Committee and the minority leader or his designate from his party shall attend. A list of the bills, reflecting the number and title of each, and the referencing thereof, shall be

delivered to each Senator no later than noon of the day of such referencing. The adoption of this rule shall constitute a waiver of so much of article III, section 7 of the Constitution of the State of Florida as pertains to the first reading of a bill.

Reports of committees of conference shall, except when the Senate is voting on any proposition, always be in order.

4.4—The Senate may, by a majority vote of all Senators present, resolve itself into a Committee of the Whole which, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of the members present, upon any bill or question not formally introduced in the Senate and any bill upon which all standing committees of reference have rendered a favorable report. A bill upon which committee action has been taken by the committee or committees of reference or upon which an unfavorable committee report has been filed may be taken up and considered only upon two-thirds ($\frac{2}{3}$) vote of the Senators present, which vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution, receive no further reference to committee. A favorable report by a Committee of the Whole upon a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted upon as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on separate paper by the Secretary, who shall be Secretary of the Committee of the Whole, and the same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and upon the completion of the second reading the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

4.6—All bills, including those which are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees thereof. The President may refer a bill introduced by a standing committee to the Calendar. In the event the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by such chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for such consideration. If such subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report such reference and the time allowed for such consideration to the Secretary of the Senate on forms provided for such purpose. The reference of a bill which is local in nature shall be to the Committee on Rules and Calendar for the sole purpose of determining whether such measure is in fact and function local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. Upon the determination by the Committee on Rules and Calendar that a bill is in fact and law a local bill, it shall forthwith be reported and referred to the calendar on local bills.

Senate general bills and joint resolutions, except for the general appropriations bill, filed for introduction after the eighteenth (18th) day of the regular session shall be referenced, but delivery thereof shall be withheld from the committee or committees of reference until after adjournment sine die of such session. The Secretary shall not assign a current session number to such bills but shall otherwise number same so as to provide identity and control until a permanent number for the next ensuing regular session be affixed. The bills and joint resolutions affected hereby shall be known as prefiled bills and considered in accordance with these Rules. A motion to waive this rule shall be referred to the committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill or joint resolution notwithstanding this rule, which recommendation must be reported back to the Senate not later than the next legislative day.

4.7—In case of multiple reference of a bill, said bill shall be considered by each committee separately in the order in which the multiple reference is made, but if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds ($\frac{2}{3}$) vote of the membership of the

Senate. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.8—All bills authorizing, carrying, requiring or materially affecting appropriations, shall be referred to the Committee on Ways and Means. All bills substantially affecting tax revenue so as to increase, decrease, alter, impose, remove a tax, or alter the disposition, distribution, or collection thereof, shall be referred to the Committee on Ways and Means. A bill not referred to the Committee on Ways and Means by operation hereof, but which is subsequently amended so as to reasonably respond to criteria enunciated herein shall forthwith be referred to the Committee on Ways and Means.

Claim bills shall be first referred to a Senate Special Master on Claims who shall expediently conduct a hearing in accordance with the Rules of the Senate having the strictest requirement of notice. Such Special Master shall administer an oath to all witnesses, preserve a recording of proceedings (but withhold the transcription thereof until ordered to transcribe by the President) and prepare a final report containing his recommendations based on findings of fact and conclusions of law. The report shall be signed by the Master who shall be available to report orally to committees or the Senate. Upon receipt of the Master's report and recommendation the President shall refer each claim bill with the report attached to an appropriate standing committee, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

4.9—All resolutions shall be referred by the President to a standing committee, except that resolutions on Senate organization and of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office, may be taken up upon motion and adopted at time of introduction without reference.

4.10—When the President has referred a bill, any Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the next succeeding legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee, which motion may be adopted by a two-thirds ($\frac{2}{3}$) vote.

4.11—Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When the reading of a paper other than one upon which the Senate is called to give a final vote is demanded, and the same is objected to by any Senator, it shall be determined by a majority vote of the Senate.

4.12—Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote upon final passage unless two-thirds ($\frac{2}{3}$) of the Senators present decide otherwise. (Constitution: Article III,

Section 7—"Any bill may originate in either house and after passage in one may be amended in the other. It shall be read in each House on three separate days, unless this rule is waived by two-thirds vote. On each reading, it shall be read by title only, unless one-third of the members present desire it read in full. On final passage, the vote of each member voting shall be entered on the Journal. Passage of a bill shall require a majority vote in each House. Each bill and joint resolution passed in both houses shall be signed by the presiding officers of the respective houses and by the Secretary and the Clerk of the House of Representatives during the session or as soon as practicable after its adjournment sine die.")

4.13—Each concurrent resolution or memorial shall receive two (2) readings on two (2) separate days previous to a voice vote upon adoption, unless two-thirds ($\frac{2}{3}$) of the Senators present decide otherwise. If the reading on the second day be dispensed with by this waiver, then the concurrent resolution or memorial may be read the second time by title only.

Reading of concurrent resolutions and memorials

4.14—Each Senate resolution shall be read by title only upon introduction. Each Senate resolution shall be read an additional time in full before the question is put on adoption by voice vote.

Reading of Senate resolutions

4.15—Upon the third reading of any bill or joint resolution, it shall not be committed (save to the Committee on Ways and Means) or amended, except a corrective or title amendment, without consent of two-thirds ($\frac{2}{3}$) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

Referral or postponement on third reading

4.16—A bill may be considered out of its regular order on the calendar upon unanimous consent obtained in the following manner: The Senator moving the Senate for such unanimous consent shall have, prior to the entertainment of such motion, orally given the membership not less than fifteen (15) minutes' notice of his intention to so move, which said notice shall specify the number of the bill or joint resolution and its position on the calendar. The moving Senator shall be allowed one (1) minute upon entertainment of such motion to explain his purpose, and unanimous consent shall then be given or refused without further debate.

Consideration out of regular order

4.17—Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension thereof directed by the membership of the legislature as permitted under the Constitution, the Committee on Rules and Calendar shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Each Special Order Calendar so submitted shall be for the next legislative day. No other bills shall be considered until this Special Order Calendar for the day set forth has been completed by the Senate, except that any bill appearing on this calendar may be stricken therefrom by a two-thirds ($\frac{2}{3}$) vote of the Senators

Special Order Calendar, Consent Calendar

present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of such Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

A vote of two-thirds ($\frac{2}{3}$) of the Senators present shall be required to establish a Special Order except as provided in this Rule.

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in conjunction with the Special Order Calendar. When such a day be designated, all bills appearing on the consent calendar shall be considered in their order of appearance, provided, however, that an objection by any member shall cause such bill to be temporarily passed, retaining its order on the regular calendar. A Senator may designate only a bill which he sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his committee. All consent calendar bills must have appeared on the printed Senate calendar.

4.18—Local bills shall be disposed of according to the calendar of bills of a local nature and shall be taken up and considered only at such time as shall be determined by the President.

Calendar of local bills

4.19—The order of disposition of any bill which has been read the second time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on a second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be taken up on some succeeding legislative day, unless otherwise ordered by a two-thirds ($\frac{2}{3}$) vote of those present. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

Order after second reading

4.20—The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary, and the fact of such signing shall be noted in the Journal.

Enrolling

RULE FIVE

VOTING

5.1—The President shall declare all votes, but, if five (5) Senators immediately question a vote by showing of hands, the President shall take the sense of the Senate by yeas and nays or electrical roll call. When taking

Taking the yeas and nays

yeas and nays on any question, the electrical roll call system may be used, and when so used shall have the force and effect of a roll call taken as provided in these Rules. This system likewise may be used to determine the presence of a quorum. When the Senate is ready to vote upon a question requiring roll call, and the vote is by electrical roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter upon the Journal the result in the manner provided by these Rules. In all cases where the Senate shall be equally divided, the question shall be lost.

5.2—After the result of the vote has been announced by the President, a Senator with unanimous consent may change his vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk throughout the session. If no objections are raised before the close of business that day, requests will be accepted.

The original roll call shall not be altered but late votes and change of votes shall be recorded under the original roll call in the Journal. Upon request of a Senator prior to consideration of other business, the President shall order a verification of a vote.

5.3—No Senator shall vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished in such a manner as the Senate may deem proper. Any person not a Senator who shall vote wrongfully in the place of a Senator shall be excluded from the Chamber for the remainder of the session, in addition to such punishment as may be prescribed by law.

5.4—Pairing shall be permitted only upon the absence of a Senator excused from attendance and shall, in writing, specifically state the bill or bills to which the pair applies.

5.5—No Senator shall be permitted to explain his vote during a roll call but may reduce his explanation to writing; upon filing with the Secretary, this explanation shall be spread upon the Journal.

5.6—In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one be elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Every motion may be made orally. Upon request of the President, a Senator shall reduce his motion to writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate, without a second, and shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before a vote thereon shall have been commenced.

Motions:
how made,
withdrawn

6.2—When a question is under debate, the President shall receive no motion except:

1. To adjourn
2. To take a recess
3. To proceed to the consideration of executive business
4. To reconsider
5. To limit debate
6. To temporarily pass
7. To postpone to a day certain
8. To commit to the Committee of the Whole
9. To commit to a standing committee
10. To commit to a select committee
11. To amend
12. To postpone indefinitely

Motions:
Precedence

which several motions shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is declared to be a motion of the highest privilege.

The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When any motion is under consideration, but prior to the commencement of the vote thereon, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

6.3—Any Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

Division of
question

6.4—When a question, including a question relating to the vote on a veto message, has been decided by the Senate, any Senator voting with the prevailing side, or when a question has been decided by voice vote, any Senator, on the same or the next legislative day on which the Senate meets, may move the reconsideration thereof. Such motion may be made pending a motion to adjourn or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate

Reconsideration
generally

shall refuse to reconsider or, upon reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent. During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day. When a majority of Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority is necessary for adoption or passage, any Senator may move for reconsideration.

6.5—The motion to reconsider shall require for its adoption the affirmative votes of a majority of the Senate present and voting.

Reconsideration:
vote required

6.6—Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion is in order, no Senator shall speak thereon more than once nor for a period longer than five (5) minutes.

Reconsideration:
debate

6.7—A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business.

Reconsideration:
collateral
matters

6.8—The Secretary shall retain possession of all bills for the period after passage during which reconsideration may be moved, except that during the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, these shall be transmitted to the House forthwith. The adoption of any motion to waive the rules by a two-thirds (2/3) vote of the Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration.

Reconsideration:
Secretary to
hold for period

6.9—Motions to indefinitely postpone shall not be applicable to collateral matters. The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. Any motion to postpone consideration to a time beyond the last day allowed under the Constitution for the current legislative session shall be construed as a motion to indefinitely postpone.

Motion to
indefinitely
postpone

RULE SEVEN

AMENDMENTS

7.1—Amendments shall be filed with the Secretary on forms prescribed by him but shall be considered only as sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in his absence, the vice chairman or any member thereof) reporting the measure under consideration shall have preference for the

General form;
manner of
consideration

presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. An amendment filed with the Secretary of the Senate, the adoption of which has not been formally moved, shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

7.2—Amendments may be adopted, on second reading by a majority vote and on third reading by a two-thirds (2/3) vote. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote on third reading.

Adoption

7.3—An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted upon before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted upon. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment of the bill itself.

Sequence of
amendments to
amendments

7.4—A proposal to strike out all after the enacting clause or the resolving clause of a bill or resolution and insert new matter of the same general subject as stated in the original title, shall be deemed proper and germane and shall be treated as an amendment.

Striking all
after enacting
clause

7.5—The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President shall, in recognizing Senators for the purpose of moving the adoption of amendments, endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

Amendment by
section

7.6—All amendments adopted by the Senate shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

Printing
in Journal

7.7—Any House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket containing same before it is reported to the House.

Senate amend-
ments to House
bills

7.8—After the reading of a House amendment to a Senate bill, the Senate may: (1) amend the House amendment, or (2) concur in the House amendment, or (3) refuse to concur in the House amendment and ask the House to recede. The adoption of all the foregoing motions shall be by majority vote.

7.9—If the House shall refuse to concur in a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named: (1) that the Senate recede, or (2) that the Senate insist and ask for a conference committee, or (3) that the Senate insist. The adoption of any of the foregoing motions shall be by majority vote.

RULE EIGHT

DECORUM AND DEBATE

8.1—When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his seat and respectfully address himself to "Mr. President", and, on being recognized, may address the Senate from his desk or from the Well of the Senate, and shall confine himself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. In all such cases, a Senator shall appropriately use the appellation of Senator or such appellation and the district number of the Senator being addressed, or he may also use such appellation and the surname of the Senator referred to or addressed.

8.2—When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

8.3—No Senator shall be interrupted by another without the consent of the Senator who has the floor, except:

1. by rising to a question of privilege
2. by rising to a point of order requiring an immediate ruling

3. by appeal from the decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision)

4. a parliamentary inquiry requiring an immediate reply or a question of no quorum.

The presiding officer shall strictly enforce this Rule.

8.4—When a member is speaking and another member interrupts to request recognition, it is the right of the presiding officer to permit the person rising to state why he desires the floor; and if the question he desires to raise is entitled to precedence, the member originally speaking should relinquish the floor until the question having precedence is disposed of, but he is entitled to resume the floor as soon as the privileged question has been disposed of. The Senator

making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

8.5—No Senator shall speak for any longer period of time than thirty (30) minutes without yielding the floor, except by consent of a majority of the Senators present.

8.6—When a measure is under debate by the Senate, it shall be in order for a Senator to move to limit debate, and such motion shall be decided without debate, except that the introducer of the measure shall have five (5) minutes within which to discuss said motion, and he may divide his time with, or waive it in favor of, some other member. If, by two-thirds ($\frac{2}{3}$) vote of the Senators present, the question is decided in the affirmative, debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the presiding officer equitably, provided, however, that the introducer of such measure shall be entitled to close.

8.7—A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

8.9—The proper method of taking exception to a ruling of a presiding officer is by appeal. An appeal from a decision of the presiding officer must be made promptly, and before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second decision is also subject to appeal.

8.10—An appeal from a decision of the presiding officer on a point of order is debatable even though the question out of which it arose was not debatable.

8.11—Questions of privilege shall be: first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, the rights, reputation, and conduct of Senators individually, in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence

over a question of privilege affecting an individual member.

What is a question of privilege?

1. Questions which relate to the body or its members in such a manner as to affect proper functioning of the body are questions of privilege. It is necessary that these questions be under the immediate control of the body. They relate to the rights and privileges of the body or any of its members in their official capacity, or to the comfort and convenience of the body or its members in the performance of their official duties.

2. "Questions of privilege" should be distinguished from "privileged questions" which is a class of motions having the highest precedence.

3. Questions of privilege are of two types: They may relate to the privilege of the entire body, which are known as questions of "privilege of the house", and questions of "privilege" which relate to a member, which are known as questions of "personal privilege". In case of conflict, questions of privilege of the house take precedence over questions of personal privilege.

RULE NINE

LOBBYING

9.1—All persons, except members of the Florida Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat, or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature.

9.2—Every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein, on the first Monday of the session and weekly thereafter.

No registered lobbyist shall be permitted upon the floor of the Senate while it is in session, nor shall he deliver or cause to be delivered any message into the Senate Chamber while the Senate is in session.

9.3—Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to

any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

9.4—A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.5—A lobbyist shall submit to the Secretary of the Senate within thirty (30) days following a regular session of the legislature a signed and certified statement listing all lobbying expenditures and sources from which funds for making such expenditures have come. Lobbying expenditures shall not include personal expenses for lodging, meals and travel. Thereafter each lobbyist, so long as he remains so registered as a lobbyist, and every person who registers as a lobbyist, shall submit to the Secretary of the Senate no later than Friday of the first week of each regular session a like signed and certified statement of all interim lobbying expenditures including expenditures at special sessions, if any. Said statements shall be rendered in the form provided by the Secretary of the Senate and shall be open to public inspection. A statement shall be filed even if there have been no expenditures during a reporting period.

9.6—A lobbyist, when in doubt about the applicability and interpretation of this rule in a particular context, may submit in writing a statement of the facts involved to the Committee on Rules and Calendar and may appear in person before said committee.

The Committee on Rules and Calendar may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.7—The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

9.8—Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this rule shall be cen-

sured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Rules and Calendar. The Committee on Rules and Calendar, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this rule and granting such person an opportunity to appear at the hearing.

9.9—The Secretary shall provide blank affidavits for the convenience of registrants, but the burden of compliance nevertheless always shall be upon the person required to register.

9.10—Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this rule, and to report violations. No committeeman shall knowingly permit an unregistered lobbyist to be heard.

RULE TEN

CHAMBER OF THE SENATE

10.1—No person shall be admitted to the main floor of the Senate Chamber while the Senate is in daily session except present members of the Senate and all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. A special section of the gallery shall be reserved for members of the families of Senators. Also entitled to admission are the Governor or one (1) representative designated by him, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida and persons by invitation of the President.

10.2—None of the persons entitled to admission shall be admitted if registered pursuant to Rule 9.

10.3—Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in daily session, except with the approval of the President.

10.4—No person shall be introduced unless he is escorted to the rostrum with concurrence of the Senate. This rule shall not apply to the first day of each regular session.

10.5—All male persons on the main floor of the Senate and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats and ties at all times while the Senate is in session.

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—It shall be the duty of the President, or the presiding officer for the time being, to interpret all rules. Motions for the previous question and to lay upon the table shall not be entertained.

11.2—These Rules shall not be waived or suspended except by a two-thirds ($\frac{2}{3}$) vote of all Senators present, which motion, when made, shall be decided without debate. A motion to waive a rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those present.

11.3—All proposed actions touching the Rules and order of business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable thereafter. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this rule may be amended by a two-thirds ($\frac{2}{3}$) vote of the members present.

11.4—Unless otherwise indicated by these Rules, or the Constitution of Florida, all action by the Senate shall be by majority vote of those Senators present.

11.5—Whenever in these Rules reference is made to “two-thirds ($\frac{2}{3}$) of those present”, “two-thirds ($\frac{2}{3}$) vote”, “two-thirds ($\frac{2}{3}$) of the Senate”, “two-thirds ($\frac{2}{3}$) of those voting”, etc., these shall all be construed to mean two-thirds ($\frac{2}{3}$) of those Senators present, except that two-thirds ($\frac{2}{3}$) of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with article III, section 3, of the Constitution.

11.6—When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: (a) The singular always includes the plural. (b) The masculine always includes the feminine. Except where specifically provided otherwise, the use of the word “bill” or “measure” means a bill, joint resolution, concurrent resolution, resolution or memorial.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to article III, section 4(b) of the Constitution of Florida.

12.2—Pursuant to article III, section 4(b), of the Constitution of Florida, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension during which no one shall be in attendance except Senators and the Secretary of the Senate, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—When the Senate agrees, by a majority of Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be accordingly calendared for formal consideration by the Senate.

12.4—All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal or suspension considered in executive session shall be kept a secret except so much thereof upon which the bans of secrecy shall have been specifically lifted by the Senate while in executive session.

12.5—A separate Journal shall be kept of executive proceedings of the Senate and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of the above Rule as to the secrecy of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for the unseating of the offending Senator.

PART TWO—SUSPENSIONS AND REMOVALS

12.7—(a) Except as otherwise herein provided, upon receipt by the Senate of appointments, removals, or suspensions upon which the consent of the Senate is required, the President shall refer each to an appropriate select committee, or to a Special Master appointed by the President, whose charge it shall be to make inquiry or investigation and advise the President and the Senate as to its recommendation concerning the subject referred and as to the necessity for deliberating such subject in executive session. Reports and findings of select committees or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master shall be privileged and confidential. The President of the Senate may order the report presented to the Senate in either open or executive session, or he may refer it to the Committee on Rules and Calendar for its consideration and report. At the time the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(b) An executive suspension of a public official who is under indictment or who has pending against him criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official which is in any manner challenged

in a court shall be referred to a select committee or Special Master but shall be held in suspense by such committee or Special Master and shall not be considered by the Senate until the pending charges have been dismissed or until final determination of the criminal charges at the trial court level, or in the case of a court challenge, until the final determination of the challenge, including the exhaustion of appellate remedies.

In any suspension case in which the indictment or criminal charge is not for the alleged commission of a felony the select committee, the Master and the Senate may proceed if the written consent of counsel for the Governor and for the suspended official is obtained.

(c) The Governor and the suspended official shall be given reasonable notice of any hearing before the select committee or Special Master.

(d) When it is advisable, the select committee or Special Master may request that the Governor file a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such statement by the suspended officer, he shall file with the select committee or Special Master a response to the Governor's statement. Such response shall admit or deny the facts or circumstances set forth in the Governor's statement, and may further make such representation of fact and circumstance as may bear on the matter of his suspension.

(e) The select committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and for the suspended official to narrow the issues involved in the suspension matter. At such conference, both the Governor and the suspended official shall set forth the names of witnesses, the nature of their testimony, and all evidence which will be relied on by the parties at the hearing, and each shall state to the committee what each expects to show by such testimony and evidence.

(f) Subject to the limitations of Rule 12.7(b) the select committee or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. In the event that a suspension order is referred to the select committee or Special Master but is held in suspense in accordance with Rule 12.7(b), then the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(b). The Senate shall act upon the recommendations of the select committee or Special Master within thirty (30) days after the report of such recommendations to the Senate; provided, however, if the Senate shall order further consideration and a supplemental recommendation, the Senate shall act within thirty (30) days after the receipt of such supplemental recommendation. All cases pending on the adoption of Rule 12.7(b) and Rule 12.7(f) as amended shall be governed by the time limits imposed by Rule 12.7(f) as amended.

(g) Within sixty (60) days after the Senate shall have acted upon the recommendation of the select committee or Special Master, any party to the suspension matter may recover, at that party's expense, any exhibit, document or other evidentiary matter introduced

by such party. After the expiration of sixty (60) days, the committee or Special Master may dispose of such exhibits or other evidence in such manner as it deems advisable.

12.8—The Senate President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he shall prescribe. The Special Master shall not be an employee or attache under Senate Rule One, Part Three, Sections 1.26, 1.27, 1.28, 1.29 or 1.30.

12.9—With consent of the Senate President, the Special Master may have the privilege of the Senate floor during any open or executive session for the purpose of presenting and explaining his report and answering questions as to the law and facts involved in the report.

12.10—The Select Committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum and other necessary process as in the case of standing committees under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear for the purpose of testifying in any matter pending before the committee or Special Master.

RULE THIRTEEN

SPECIAL SESSION

13.1—All Senate rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule adopted from time to time by the Committee on Rules and Calendar and approved by the President.

13.3—Committee meetings shall be coordinated and scheduled by the Committee on Rules and Calendar, or a subcommittee thereof. Meetings of standing committees and standing subcommittees scheduled in accordance with this rule may be held following an announcement by the chairman while the Senate is in session, and by the posting of notice on a bulletin board in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

13.5—Every bill, joint resolution, resolution and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of

the third calendar day from the day of reference (the day of reference not being counted as the first day) unless otherwise ordered by the Senate by majority vote. Any bill upon which no committee report is filed as herein provided may be withdrawn from such committee and appropriately calendared upon point of order, provided that no bill may be thus withdrawn from the Committee on Ways and Means during the first five (5) days of a special session. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee which shall not be beyond the time allowed herein.

13.6—The report of any committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, upon the completion of the second reading, the vote shall be upon the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once.

The report must be acted upon as a whole, being adopted or rejected, and there shall accompany every such report a statement sufficiently explicit to inform the Senate of the effect of the report upon the measure to which it relates.

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill which was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees shall have been appointed for thirty-six (36) hours and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—A motion to reconsider shall be made and considered on the same day.

13.8—The Committee on Rules and Calendar may from time to time submit a Special Order Calendar determining the time and priority for consideration of bills.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill and scroll. At the top of the field of flags shall be the word: "Seal". At the bottom shall be the date: 1838. The perimeter of the seal shall contain the words: "Senate" and the "State of Florida".

There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate".

On motions by Senator Brantley, the committee report was adopted and the foregoing rules were adopted to govern the Senate for the ensuing two years.

Pursuant to Rule 2.1, the President announced the appointment of the standing committees and standing subcommittees as follows:

AGRICULTURE

Senator Peterson, Chairman; Senator Lane (23rd), Vice Chairman; Senators Lewis, Trask, Stolzenburg, Graham and Tobiasen.

COMMERCE

Senator Childers (1st), Chairman; Senator Brantley, Vice Chairman; Senators Gallen, Thomas (4th), Winn, Trask, Ware, Plante and Henderson.

EDUCATION

Senator Graham, Chairman; Senator Gordon, Vice Chairman; Senators MacKay, Peterson, Saunders, Plante, Tobiasen, Holloway and Saylor.

GOVERNMENTAL OPERATIONS

Senator Myers, Chairman; Senator Zinkil, Vice Chairman; Senators Johnston, Firestone, Thomas (4th), Dunn, Wilson, Hair, Plante, Deeb and Saylor.

HEALTH AND REHABILITATIVE SERVICES

Senator Gordon, Chairman; Senator Vogt, Vice Chairman; Senators Childers (28th), Renick, Sims, Glisson, Thomas (30th), Lane (31st) and MacKay.

JUDICIARY—CIVIL

Senator Gallen, Chairman; Senator Scarborough, Vice Chairman; Senators Holloway, Childers (28th), Wilson, Ware and McClain.

JUDICIARY—CRIMINAL

Senator Scarborough, Chairman; Senator Dunn, Vice Chairman; Senators Deeb, McClain, MacKay, Spicola and Hair.

NATURAL RESOURCES AND CONSERVATION

Senator Lewis, Chairman; Senator Spicola, Vice Chairman; Senators Vogt, Winn, Lane (23rd), Childers (1st), Johnston, Thomas (30th) and Henderson.

RULES AND CALENDAR

Senator Brantley, Chairman; Senator Lewis, Vice Chairman; Senators Myers, Childers (1st), Gallen, Graham, Gordon, Scarborough, Poston, Saunders, Trask, Ware, Plante, Lane (31st), Henderson, Firestone and McClain.

TRANSPORTATION

Senator Poston, Chairman; Senator Sims, Vice Chairman; Senators Renick, Zinkil, Lane (31st), Hair, Stolzenburg, Glisson and Thomas (4th).

WAYS AND MEANS

Senator Saunders, Chairman; Senator Myers, Vice Chairman; Senators Gordon, Graham, Lewis, Poston, Childers (1st), Vogt, Lane (23rd), Hair, Thomas (4th), Peterson, Thomas (30th), MacKay, Spicola, Plante, Lane (31st) and Holloway.

Subcommittee A: Senator Gordon, Chairman; Senators Thomas (4th), Lane (31st), Childers (1st) and Peterson.

Subcommittee B: Senator Graham, Chairman; Senators Lewis, MacKay, Spicola and Poston.

Subcommittee C: Senator Plante, Chairman; Senators Hair, Vogt, Lane (23rd), Thomas (30th) and Holloway.

The President also announced the following committee appointments:

Senate Select Committee on Executive Suspensions: Senator Dunn, Chairman; Senator Firestone, Vice Chairman; Senators Hair, Holloway and Sims.

Joint Management Committee: Senators Brantley, Saunders and Plante.

Joint Auditing Committee: Senators Saunders, Lewis, Brantley, Ware and Plante.

Joint Administrative Procedures Committee: Senators Lewis, Saunders and Ware.

Joint Select Committee on Judicial Personnel: Senators Dunn, Lewis and Plante.

On motion by Senator Brantley, the Senate in 1974 Organization Session adjourned sine die at 5:45 p.m.